

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings, which includes Figures 2B, 2C, and 2D, replaces the original sheet including Figures 2B, 2C, and 2D.

Attachment: Replacement Sheet 2 (Figures 2B, 2C, and 2D)

REMARKS

Claims 1-5 and 7-13 are pending in this application. Claims 1-5 and 7-13 stand rejected, and claims 1, 5, and 10 are amended. Reconsideration and allowance of the present application are respectfully requested in light of the preceding amendments and following remarks.

Examiner Interview

Initially, Applicants wish to thank the Examiner for the courtesies extended to Applicants' representative during the December 11, 2007 telephonic interview. During the interview the parties discussed the rejections to the claims and the Applicant proposed amendments to overcome the prior art rejections. The Examiner further proposed amendments to overcome the enablement rejections. The Examiner indicated that such amendments would require further search and consideration.

Objection to Drawings

New drawings have been submitted in response to the Examiner's objection in order to comply with CFR 1.121(d). The Replacement Sheet 2, containing FIGS. 2B, 2C, and 2D, corrects the mislabeled FIGS. 2C and 2D. Applicants respectfully request that the Examiner withdraw the objection.

Rejections under 35 U.S.C. §112

Claims 1-13 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. This rejection is respectfully traversed.

With regard to claim 1, the Examiner alleges that the limitation of "only" in that claim is not adequately supported in the application as filed to satisfy the written description

requirement. Initially, Applicants note that the “only” limitation has been cancelled from each claim by this Amendment, rendering the Examiner’s rejection moot.

Claims 1-13 stand rejected under 35 U.S.C. § 112, second paragraph, as failing to comply with the enablement requirement. The Examiner presents three questions regarding enablement of the claims. This rejection is respectfully traversed and the Examiner’s questions answered in turn.

The Examiner states that ¶ [0028] of the specification is not clear as to why a flow-based registration system is inapplicable to the disclosed registration message system. Applicants respectfully submit that a hybrid-based registration system, not a flow-based registration system, is claimed, and thus any ambiguity regarding a flow-based registration system in the specification does not affect the enablement of the claims. That aside, Applicants respectfully submit that the flow-based system is not applicable to the disclosed registration message system because the flow-based system automatically registers, without message, the new flow in the new sector, and no registration message, under any registration system, from the mobile would be needed.

The Examiner states that ¶ [0029] is unclear as to which flow, 1 or 2, is monitored and the timing of the switch. Applicants respectfully submit that ¶ [0029] does not disclose specific flows 1 or 2 but any change in flow. The scenarios referenced in ¶ [0029] are well-described and illustrated in surrounding paragraphs.

The Examiner lastly alleges that it is unclear how the disclosed system recognizes a new frequency when both flow and frequency are changed. Applicants respectfully reply that the mobile station generates a registration message when such a change occurs. When the mobile station changes flow and frequency, as is easily known to the mobile station, it generates a registration message to register the mobile station with the network. Thus the

registration messages themselves inform the network of such a change. Applicants respectfully submit that the entire disclosure is directed toward such registration messages and their generation from the mobile station to the network.

Therefore, Applicants respectfully request that the rejections of claims 1-13 under 35 U.S.C. §112, first paragraph be withdrawn.

Rejections under 35 U.S.C. §102

Claims 1-3, 5, 7-8, and 10-11 stand rejected under 35 U.S.C. §102(e) as being anticipated by US Pat Pub 2003/0114177 to Sinnarajah et al. (“Sinnarajah”). This rejection is respectfully traversed.

With regard to claims 1, 5, and 10, the Examiner states that Sinnarajah teaches each and every element of these claims. Applicants respectfully submit that claims 1, 5, and 10 have been amended to clarify that registration messages are **not generated “when flow or frequency alone change.”** Sinnarajah teaches that registration messages **are generated when flow changes with no change in frequency.** See ¶ [0070]. Sinnarajah further teaches registration message **generation when frequency changes with no disclosed change in flow.** See ¶ [0069]. The system recited in the claims as amended would not generate registration messages in these instances, and thus Sinnarajah fails to disclose the registration timing of the claims as amended.

Because Sinnarajah fails to teach or suggest each and every feature of claims 1, 5, and 10, Sinnarajah cannot anticipate or render obvious these claims. Claims 2-4, 6-9, and 11- 13 are allowable at least for depending from an allowable base claim. Therefore, Applicants respectfully request that this rejection of claims 1-3, 5, 7-8, and 10-11 under 35 U.S.C. §102 be withdrawn.

Rejections Under 35 U.S.C. § 103

Claims 1-13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over SWG23 BCMCS ADHOC: “Signaling Support for 1x BCMCS” (“3G-1x-BCMCS”) in view of Sinnarajah. This rejection is respectfully traversed.

As the Examiner admits, 3G-1x-BMCS does not cure the disclosure and suggestion deficiencies of Sinnarajah discussed above. Particularly, 3G-1x-BMCS discloses that registration messages are **generated in response to an individual change in flow or frequency**. *See* pg. 26, ll. 8-10, 35-39; pg. 28, ll. 16-22; pg. 30, ll. 27, 31-35. Because 3G-1x-BMCS, alone or in combination with Sinnarajah, fails to teach or suggest each and every feature of the claims as amended, these references cannot anticipate or render obvious claims 1-13. Therefore, Applicants respectfully request that this rejection of claims 1-13 under 35 U.S.C. §103 be withdrawn.

CONCLUSION

In view of the above remarks and amendments, Applicants respectfully submit that each of the rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

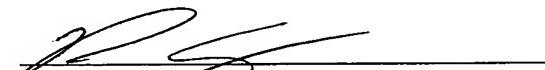
Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) hereby petition(s) for a one (1) month extension of time for filing a reply to the outstanding Office Action and submit the required \$120.00 extension fee herewith.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,
HARNESS, DICKEY, & PIERCE, P.L.C.

By



Ryan E. Alley, Reg. No. 60,977

Gary D. Yacura, Reg. No. 35,416

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

GDY/REA: tlt

Enclosures: Replacement Sheet (1 page)